

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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JUAN ALVAREZ,

Plaintiff,

-against-

THE CITY OF NEW YORK, NEW YORK CITY
POLICE DEPARTMENT, DET. "JOHN"
D'AMBROSIO, SGT. "JOHN" ROSENBERG, first
names being fictitious as they are presently unknown,
and P.O. "JOHN DOE(S) 1-10" (whose names being
fictitious the true names unknown to plaintiff, the
persons being police officers),

Defendants.

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VERIFIED COMPLAINT

Index No.:

Date Filed:

Plaintiff JUAN ALVAREZ, by his attorneys, FIGMAN & EPSTEIN, LLP, as and for his
Verified Complaint, alleges as follows, upon information and belief:

1. At all times hereinafter mentioned, plaintiff JUAN ALVAREZ resided and still resides at 512 West 135th Street, Apt. 2, New York, New York 10031.
2. At all times hereinafter mentioned, defendant THE CITY OF NEW YORK (hereinafter "CITY") was and still is a municipal corporation duly organized and existing under and by virtue of the laws of the State of New York.
3. At all times hereinafter mentioned, defendant CITY, its agent(s), servant(s) and/or employee(s), operated, maintained and controlled defendant NEW YORK CITY POLICE DEPARTMENT (hereinafter "NYPD"), including all police officers thereof.
4. At all times hereinafter mentioned, defendants DET. "JOHN" D'AMBROSIO, hereinafter referred to as "D'AMBROSIO", SGT. "JOHN" ROSENBERG, hereinafter referred to

as "ROSENBERG", and POLICE OFFICER "JOHN DOE(S) 1-10 (whose names being fictitious the true names unknown to plaintiff, the persons being police officers), hereinafter referred to as "DOE(S)", were agent(s), servant(s) and/or employee(s) of defendant NYPD, a municipal agency of defendant CITY, and/or were agent(s), servant(s) and/or employee(s) of defendant CITY; defendants D'AMBROSIO, ROSENBERG and DOE(S) are named herein and are being sued individually and in their official capacities.

5. At all times hereinafter mentioned, defendants D'AMBROSIO, ROSENBERG and DOE(S) were acting during the course of their employment by defendants NYPD and/or CITY, and within the scope of their employment as police officers with the NYPD and/or CITY.

6. At all times hereinafter mentioned, defendants D'AMBROSIO, ROSENBERG and DOE(S) were acting under color of law and authority as police officers with defendant NYPD.

7. That plaintiff JUAN ALVAREZ has complied with all of the conditions precedent to the bringing of this action, and in particular, has on January 2, 2014 and within 90 days after these causes of action accrued, duly served defendants CITY and NYPD with Notices of Claim and Intention to Sue, and further, attended a pre-suit oral examination pursuant to Section 50-h of the General Municipal Law on August 26, 2014.

8. No pre-suit physical examination(s) of plaintiff has been requested, and thus said examination(s) have been waived.

9. That more than thirty (30) days have elapsed since the presentation of said Notice of Claim and defendants CITY and NYPD have wholly failed, neglected and refused to make any adjustment of same.

10. That this action is commenced within one (1) year and ninety (90) days from the date that the within causes of action accrued.

AS AND FOR A FIRST CAUSE OF ACTION:

11. On November 21, 2013 at approximately 6:00 a.m., plaintiff JUAN ALVAREZ was sleeping in his bedroom at 512 West 135th Street, Apt. 2, New York, New York 10031, when officers from the 30th Precinct, including D'AMBROSIO, ROSENBERG and DOE(S), broke down the door to the apartment, entered same without a proper search warrant while plaintiff slept, broke down the door to plaintiff's bedroom, detained plaintiff, unlawfully questioned plaintiff about the whereabouts of his brother, PEDRO ALVAREZ, who was not present and for whom they did not have an arrest warrant; forcibly handcuffed plaintiff, placed him under arrest without a warrant and without probable cause, and removed him to the 30th Precinct, all without any just or probable cause, without any reason to fear for any officer's safety.

12. Defendants D'AMBROSIO, ROSENBERG and DOE(S) searched and ransacked the premises, causing extensive property damage, all without plaintiff's permission and consent.

13. Plaintiff was unlawfully detained and questioned; he was not allowed to make a telephone call unless it was to his brother PEDRO; plaintiff was improperly and unlawfully detained, and was falsely arrested and removed to and incarcerated at the 30th Precinct, and said incident continued thereafter, while plaintiff remained incarcerated at the 30th Precinct and thereafter at Central Booking in Manhattan, until claimant was finally released from custody and prison on November 22, 2013.

14. At the above dates, times and locations, plaintiff JUAN ALVAREZ was

unlawfully arrested and handcuffed with excessive force and pressure, was denied edible food and drink, was sleep deprived, taunted, harassed and placed in fear of his well-being and life, having been placed in cells with violent felons, and was kept incarcerated against his will and all without just or probable cause, by members and agent(s), servant(s) and/or employee(s) of THE CITY OF NEW YORK and THE NEW YORK CITY POLICE DEPARTMENT. Claimant was arrested and detained against his will without probable cause for the aforesaid period of time, during which time he was handcuffed, fingerprinted, photographed, intimidated and threatened, all without probable cause to have had his apartment unlawfully searched, and then to be detained and kept incarcerated. At approximately 3:00 a.m. on November 22, 2013, plaintiff was simply told that he may leave, all without ever appearing before a judge. His cell phone was confiscated by respondent and remains missing to date. When he was released, claimant was put on the street with no wallet or money.

15. As a result of the foregoing, plaintiff JUAN ALVAREZ was caused to and did suffer violations of his civil rights, negligent and intentional infliction of emotional distress, anguish, anxiety, fear, humiliation, loss of freedom and damage to his reputation and standing within his community.

16. As a result of the foregoing, plaintiff JUAN ALVAREZ has been damaged in a sum of money exceeding the monetary jurisdictional limits of all lower Courts.

AS AND FOR A SECOND CAUSE OF ACTION:

17. Plaintiff repeats, reiterates and realleges each and every allegation contained hereinabove with the same force and effect as if hereinafter set forth at length.

18. On November 21, 2013, at approximately 6:00 a.m., and continuing thereafter up

to and including November 22, 2013, defendants CITY and NYPD, through their agent(s), servant(s) and/or employee(s), including, but not limited to, defendants D'AMBROSIO, ROSENBERG and DOE(S), did wrongfully detain and imprison plaintiff JUAN ALVAREZ without probable cause, without an arrest warrant, in bad faith, and without his permission or consent.

19. In commencing and continuing said wrongful detainment and false imprisonment, defendants caused plaintiff to be wrongfully detained in violation of the Penal Laws of the State of New York and his constitutional rights, during which time plaintiff was handcuffed with excessive force and pressure, was denied edible food and drink, was sleep deprived, taunted, harassed and placed in fear of his well-being and life, having been placed in cells with violent felons, and was kept incarcerated against his will and all without just or probable cause.

20. Plaintiff JUAN ALVAREZ had not given defendants probable cause to believe that he had committed any illegal acts.

21. At the time of said plaintiff's unlawful imprisonment, defendants knew or should have known, through the exercise of proper police procedure and reasonable investigation, that the aforementioned imprisonment was unlawful, false and without justification.

22. Defendants D'AMBROSIO, ROSENBERG and DOE(S), as well as other agent(s), servant(s) and/or employee(s) of defendants CITY and/or NYPD, acted in bad faith and without justification in committing the aforesaid detention and unlawful imprisonment of plaintiff JUAN ALVAREZ.

23. As a result of the foregoing, plaintiff JUAN ALVAREZ was caused to and did suffer violations of his civil rights, negligent and intentional infliction of emotional distress,

anguish, anxiety, fear, humiliation, loss of freedom and damage to his reputation and standing within his community.

24. As a result of the foregoing, plaintiff JUAN ALVAREZ has been damaged in a sum of money exceeding the monetary jurisdictional limits of all lower Courts.

AS AND FOR A THIRD CAUSE OF ACTION:

25. Plaintiff repeats, reiterates and realleges each and every allegation contained hereinabove with the same force and effect as if hereinafter set forth at length.

26. On November 21, 2013, at approximately 6:00 a.m., at the aforesaid location, defendants CITY and NYPD, through their agent(s), servant(s) and/or employee(s), including, but not limited to, defendants D'AMBROSIO, ROSENBERG and DOE(S), unlawfully and without just reason or cause entered plaintiff's apartment, improperly, violently, forcibly and without a warrant, right or privilege, detained and searched the person of plaintiff JUAN ALVAREZ, as well as his apartment, all without plaintiff's permission or consent and without just or probable cause, and arrested him and caused him to be incarcerated up to and including November 22, 2013.

27. Defendants CITY and NYPD, by and through their agent(s), servant(s) and/or employee(s), including, but not limited to, defendants D'AMBROSIO, ROSENBERG and DOE(S), negligently and carelessly performed their duties in that they failed to exercise such care in the performance of their police duties as reasonably prudent police officers would have under similar circumstances.

28. As a result of defendants' negligence, plaintiff JUAN ALVAREZ was caused to and did suffer violations of his civil rights, negligent and intentional infliction of emotional

distress, anguish, anxiety, fear, humiliation, loss of freedom and damage of his reputation and standing within his community.

29. As a result of the defendants' negligence, plaintiff JUAN ALVAREZ has been damaged in a sum of money exceeding the monetary jurisdictional limits of all lower Courts.

AS AND FOR A FOURTH CAUSE OF ACTION:

30. Plaintiff repeats, reiterates and realleges each and every allegation contained hereinabove with the same force and effect as if hereinafter set forth at length.

31. On November 21, 2013, at approximately 6:00 a.m., at the aforesaid location, defendants CITY and NYPD, by and through their agent(s), servant(s) and/or employee(s), including, but not limited to, defendants D'AMBROSIO, ROSENBERG and DOE(S), unlawfully and without just reason or cause entered plaintiff's apartment, improperly, violently, forcibly and without a warrant, right or privilege, detained and searched the person of plaintiff JUAN ALVAREZ, as well as the aforesaid apartment, all without plaintiff's permission or consent and without just or probable cause, and arrested him and caused him to be incarcerated up to and including November 22, 2013.

32. Plaintiff JUAN ALVAREZ was arrested and detained without provocation or justification by the said agent(s), servant(s) and/or employee(s) of defendants CITY and NYPD, and by defendants D'AMBROSIO, ROSENBERG and DOE(S).

33. Plaintiff was willfully and wrongfully accused of having committed a crime in violation of the Penal Laws of the State of New York.

34. Plaintiff was detained, arrested and wrongfully imprisoned against his will.

35. Said detention, arrest and imprisonment were without warrant, probable cause

and/or justification.

36. The actions of defendants CITY and NYPD, their agent(s), servant(s) and/or employee(s), including, but not limited to, defendants D'AMBROSIO, ROSENBERG and DOE(S), constitute unlawful detention, arrest and imprisonment, and were designed to and did cause pain and suffering to plaintiff JUAN ALVAREZ in violation of his Constitutional Rights as are guaranteed under 42 U.S.C. §1983, and the Fourth and Fourteenth Amendments to the United States Constitution, and the Constitution of the State of New York.

37. Defendants CITY and NYPD violated plaintiff JUAN ALVAREZ's civil rights by subjecting him to an illegal search and seizure in violation of the guarantees of 42 U.S.C. §1983, the United States Constitution, and the Constitution of the State of New York.

38. The actions of defendants D'AMBROSIO, ROSENBERG and DOE(S), constitute unlawful detention, arrest and imprisonment, and were designed to and did cause pain and suffering to plaintiff JUAN ALVAREZ in violation of his Constitutional Rights as are guaranteed under 42 U.S.C. §1983, and the Fourth and Fourteenth Amendments to the United States Constitution, and the Constitution of the State of New York.

39. Defendants D'AMBROSIO, ROSENBERG and DOE(S) violated plaintiff JUAN ALVAREZ's civil rights by subjecting him to an illegal search and seizure in violation of the guarantees of 42 U.S.C. §1983, the United States Constitution, and the Constitution of the State of New York.

40. That the conduct and actions of defendants CITY and NYPD, by and through their agent(s), servant(s) and/or employee(s), including, but not limited to, defendants D'AMBROSIO, ROSENBERG and DOE(S), acting in concert and under color of State law, in detaining and

imprisoning plaintiff JUAN ALVAREZ, were done intentionally, maliciously, and/or with a reckless disregard for the natural and probable consequences of their acts, were done without lawful justification, and were designed to and did cause pain and suffering to plaintiff JUAN ALVAREZ in violation of his Constitutional rights as are guaranteed under 42 U.S.C. §1983, the Fourth and Fourteenth Amendment of the United States Constitution, and the Constitution of the State of New York.

41. Defendants CITY and NYPD, by and through their agent(s), servant(s) and/or employee(s), including, but not limited to, defendants D'AMBROSIO, ROSENBERG and DOE(S), deprived plaintiff JUAN ALVAREZ of his liberty, in violation of his civil and constitutional rights, as are guaranteed under 42 U.S.C. §1983, and as set forth in the United States Constitution, Amendments Four and Fourteen, and the Constitution of the State of New York.

42. Defendants CITY and NYPD, by and through their agent(s), servant(s) and/or employee(s), including, but not limited to, defendants D'AMBROSIO, ROSENBERG and DOE(S), detained and searched the person of plaintiff JUAN ALVAREZ, as well as his apartment, all without his permission and consent and without just or probable cause, and arrested him and caused him to be incarcerated from November 21, 2013, up to and including November 22, 2014, without a warrant and without probable cause in violation of said plaintiff's civil and constitutional rights, as set forth in the Fourth Amendment of the United States Constitution.

43. The actions taken by defendants CITY and NYPD, through their agent(s), servant(s) and/or employee(s), were undertaken under color of law and would not have existed

but for said defendants CITY and NYPD's agent(s), servant(s) and/or employee(s) use of their official power.

44. Defendants D'AMBROSIO, ROSENBERG and DOE(S)'s actions were undertaken under color of law and would not have existed but for said defendants' use of their official power.

45. As a result of the above constitutionally impermissible conduct, plaintiff JUAN ALVAREZ was caused to and did suffer violations of his civil rights, emotional distress, anguish, anxiety, fear, humiliation, loss of freedom and damage to his reputation and standing within his community.

46. As a result of defendants' impermissible conduct, plaintiff has been damaged in a sum of money exceeding the monetary jurisdictional limits of all lower Courts.

AS AND FOR A FIFTH CAUSE OF ACTION:

47. Plaintiff repeats, reiterates and realleges each and every allegation contained hereinabove with the same force and effect as if hereinafter set forth at length.

48. The supervisors and policy-making officers of defendants CITY and NYPD, as a matter of standard operating procedure and policy, have failed to take steps to terminate the above detailed practices and have failed to discipline or otherwise properly supervise the individuals engaged in such practices.

49. Defendants CITY and NYPD have failed to properly and effectively train their employees with regard to proper constitutional and statutory limits on the exercise of their authority, and such failure continues to this day.

50. Defendants CITY and NYPD hired and retained in its employ certain police

officers, including, but not limited to, defendants D'AMBROSIO, ROSENBERG and DOE(S), with knowledge that said police officers had vicious propensities and were otherwise unsuitable and unfit to be police officers.

51. At all times material to this Complaint, defendants CITY and NYPD had in effect de facto policies, practices and customs that were a direct and proximate cause of the unconstitutional conduct of defendants D'AMBROSIO, ROSENBERG and DOE(S), as well as other agent(s), servant(s) and/or employee(s) of the NYPD.

52. These policies, practices and customs include, *inter alia*: the failure to properly screen, supervise, discipline, transfer, counsel, or otherwise control police officers engaged in the excessive use of force or in warrantless and otherwise unconstitutional searches or otherwise impermissible imprisonments, particularly those who are repeatedly accused of such acts; the police code of silence wherein police officers regularly cover up police abuse of power by telling false and incomplete stories.

53. The policy of failure to screen, discipline, supervise, counsel, transfer, control and correct unconstitutional patterns or conditions, is evidenced, *inter alia*, by the following:

- a. The fact that in only a small percentage of cases involving complaints against police officers is some form of discipline recommended.
- b. The fact that cases where complaints have been lodged against police officers were inadequately investigated.
- c. The fact that the decision as to whether to discipline a police officer is taken relying primarily on police officers to conduct the investigations of alleged misconduct.
- d. The fact that, upon information and belief, only a small number of police

officers have been fired for brutality since 1989.

e. The fact that of the complaints that were found to be substantiated, most do not result in any kind of meaningful discipline.

54. The policymakers of defendants CITY and NYPD knew or should have known that defendant police officers were violating people's Constitutional rights to be free from warrantless, forcible stops and searches in violation of their right to privacy and that said defendants were taking action that was shocking the conscience or otherwise violating the substantive due process rights of the people of the City of New York.

55. The fact that in the vast majority, if not all, of police abuse cases that result in verdicts or substantial settlements for the victims, defendants CITY and NYPD impose no discipline, either before or after the Court resolution, almost never reopen an investigation previously conducted after such a resolution; and sometimes promotes the officer to a position of greater authority despite the resolution.

56. Defendants CITY and NYPD tolerate and encourage police to lie to cover up the wrongful conduct of themselves and other officers, as evidenced by the Mollen Commission Report, July 7, 1994.

57. Upon information and belief, defendants CITY and NYPD failed to effectively screen, hire, train, supervise and discipline their police officers, including, but not limited to, the defendant police officers herein, for their propensity for violence, including excessive use of force and restraint, lack of truthfulness and for their failure to protect citizens from the unconstitutional conduct of other police officers, thereby permitting and allowing defendant police officers herein to falsely imprison and/or excessively detain and incarcerate plaintiff

JUAN ALVAREZ, and to otherwise cause him injury and violations of his federal and state constitutional rights, or to permit these actions to take place with their knowledge or consent.

58. Upon information and belief, defendant police officers have been the subject of prior civilian and departmental complaints of misconduct that put, or should have put, defendants CITY and NYPD on notice that defendant police officers herein were likely to engage in conduct that would violate the civil and constitutional rights of the public, such as the conduct complained of by the plaintiff herein.

59. Upon information and belief, defendants CITY and NYPD failed to put into place and otherwise maintain an inadequate structure for risk containment and stress management relative to its police officers, *inter alia*, the structure was deficient at the time of pre-selection and selection to evaluation and exchange within the command structure about the performance of individual police officers; to the training of supervisory personnel to effectively and adequately evaluate performance of an officer; and to otherwise put the command structure on notice that an individual or individuals were at significant levels of risk to the public at large or to specific segments thereof. The net effect of this was to permit police officers of the NYPD to function at levels of significant and substantial risk to the public.

60. As a result of the foregoing conscious policies, practices, customs or usages, defendants CITY and NYPD have permitted and allowed for the employment and retention of individuals whose individual circumstances place the public or segments thereof at substantial risk of being the victims of violent and/or unconstitutional behavior. Such policies, practices, customs or usages are a direct and proximate cause of the conduct alleged herein and otherwise a direct and proximate cause of the injuries to plaintiff JUAN ALVAREZ.

61. As a result of the foregoing, plaintiff JUAN ALVAREZ was caused to and did suffer violations of his civil rights, negligent and intentional infliction of emotional distress, anguish, anxiety, fear, humiliation, loss of freedom and damage to his reputation and standing within their community.

62. As a result of the foregoing, plaintiff JUAN ALVAREZ has been damaged in a sum of money exceeding the monetary jurisdictional limits of all lower Courts.

AS AND FOR A SIXTH CAUSE OF ACTION:

63. Plaintiff repeats, reiterates and realleges each and every allegation contained hereinabove with the same force and effect as if hereinafter set forth at length.

64. Defendants CITY and NYPD hired and retained in their employ certain agent(s), servant(s) and/or employee(s), including, but not limited to, defendants D'AMBROSIO, ROSENBERG and DOE(S), with knowledge that said police officers lacked the experience to be employed by defendants and therefore, were unfit to be police officers.

65. Defendants CITY and NYPD, hired and retained in their employ certain agent(s), servant(s) and/or employee(s), including, but not limited to, defendants D'AMBROSIO, ROSENBERG and DOE(S), with knowledge that said police officers lacked the deportment to be employed by defendants and therefore, were unfit to be police officers.

66. Defendants CITY and NYPD hired and retained in their employ certain agent(s), servant(s) and/or employee(s), including, but not limited to, defendants D'AMBROSIO, ROSENBERG and DOE(S), with knowledge that said police officers had vicious and/or undesirable propensities and were, therefore unfit to be police officers.

67. As a result of the foregoing, plaintiff JUAN ALVAREZ was caused to and did

suffer violations of his civil rights, negligent and intentional infliction of emotional distress, anguish, anxiety, fear, humiliation, loss of freedom and damage to his reputation and standing within his community.

68. As a result of the foregoing, plaintiff JUAN ALVAREZ has been damaged in a sum of money exceeding the monetary jurisdictional limits of all lower Court.

AS AND FOR A SEVENTH CAUSE OF ACTION:

69. Plaintiff repeats, reiterates and realleges each and every allegation contained hereinabove with the same force and effect as if hereinafter set forth at length.

70. The conduct of defendants CITY and NYPD, their agent(s), servant(s) and/or employee(s), including, but not limited to, defendants D'AMBROSIO, ROSENBERG and DOE(S), toward plaintiff JUAN ALVAREZ was so outrageous and shocking that it exceeds all reasonable bounds of decency tolerated by the average member of the community.

71. Defendants CITY and NYPD, by and through their agent(s), servant(s) and/or employee(s), including, but not limited to, defendants D'AMBROSIO, ROSENBERG and DOE(S), acted with the desire to cause plaintiff JUAN ALVAREZ mental distress, or acted under circumstances known to them which made it substantially certain that they would cause such mental distress to said plaintiff.

72. Defendants CITY, NYPD, D'AMBROSIO, ROSENBERG and DOE(S) acted with utter disregard of the consequences of their actions.

73. As a result of the foregoing, plaintiff JUAN ALVAREZ was caused to and did suffer violations of his civil rights, negligent and intentional infliction of emotional distress, anguish, anxiety, fear, humiliation, loss of freedom and damage to his reputation and standing in

his community.

74. As a result of the foregoing, plaintiff JUAN ALVAREZ has been damaged in a sum of money exceeding the monetary jurisdictional limits of all lower Courts.

STATEMENT REGARDING ARTICLE 16 OF THE C.P.L.R.:

That one or more of the exceptions set forth in Article 16 of the Civil Practice Law and Rules apply to the instant causes of action, such that defendants are jointly and severally liable with any and all other tortfeasors, whether parties to this action or not.

STATEMENT REGARDING PUNITIVE DAMAGES:

Without pleading punitive damages as a separate cause of action, plaintiffs hereby put defendants on notice that defendants' respective acts and omissions, which were a cause of the subject occurrence(s), were of such an unjustifiable, willful and wanton nature, and so incredibly deviated from accepted and proper police practices and standards, that they exhibited a gross disregard for the welfare and safety of the public at large and in particular, the plaintiff herein, such that plaintiff shall request that a judgment granting punitive damages be entered against said defendants, so as to punish said defendants and deter similar conduct on the parts of others.

WHEREFORE, plaintiff JUAN ALVAREZ demands that judgment be entered against the defendants herein as follows:

On the First Cause of Action: In a sum of money exceeding the monetary jurisdictional limits of all lower Courts;

On the Second Cause of Action: In a sum of money exceeding the monetary jurisdictional limits of all lower Courts;

On the Third Cause of Action: In a sum of money exceeding the

	monetary jurisdictional limits of all lower Courts;
On the Fourth Cause of Action:	In a sum of money exceeding the monetary jurisdictional limits of all lower Courts;
On the Fifth Cause of Action:	In a sum of money exceeding the monetary jurisdictional limits of all lower Courts;
On the Sixth Cause of Action:	In a sum of money exceeding the monetary jurisdictional limits of all lower Courts;
On the Seventh Cause of Action:	In a sum of money exceeding the monetary jurisdictional limits of all lower Courts;

together with interest, costs and disbursements of this action, as well as punitive damages in an amount to be assessed by the fact-finder upon the conclusion of this action.

Yours, etc.

FIGMAN & EPSTEIN, LLP

By: 
 ALAN H. FIGMAN
 Attorneys for Plaintiff
 JUAN ALVAREZ
 Office and P.O. Address
 11 Broadway, Suite 868
 New York, New York 10004
 (212) 248-7800

VERIFICATION

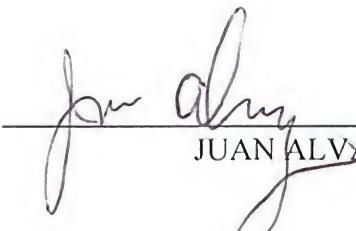
STATE OF NEW YORK)
 :
COUNTY OF NEW YORK)

JUAN ALVAREZ, being duly sworn, deposes and says:

I am one of the plaintiffs in the within action.

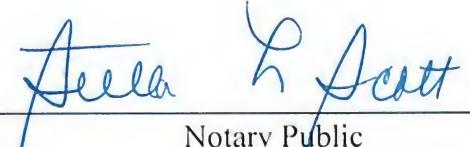
I have read the foregoing **COMPLAINT** and know the contents thereof, and that the same is true to my own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters, I believe them to be true.

Dated: New York, New York
September 30, 2014



JUAN ALVAREZ

Sworn to before me this
30th day of September, 2014



Notary Public
STELLA L. SCOTT
Notary Public, State of New York
No. 01SC6140891
Qualified in Kings County
Commission Expires February 13, 2018

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

**Index No.:
Law Dept. No.:**

JUAN ALVAREZ,

Plaintiff,

-against-

**THE CITY OF NEW YORK, NEW YORK CITY POLICE DEPARTMENT, DET.
“JOHN” D’AMBROSIO, SGT. “JOHN” ROSENBERG, first names being fictitious as they
are presently unknown, and P.O. “JOHN DOE(S) 1-10” (whose names being fictitious the
true names unknown to plaintiff, the persons being police officers),**

Defendants.

SUMMONS AND VERIFIED COMPLAINT

**FIGMAN & EPSTEIN, LLP
Attorneys for Plaintiff
Office & P.O. Address & Telephone
11 Broadway-Suite 868
New York, New York 10004
(212) 248-7800**